

**Reply under 37 C.F.R. § 1.116  
Expedited Procedure  
Examining Group 3713**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. ....09/802,661  
Filing Date ..... March 9, 2001  
Inventor..... Victor Keith Blanco  
Group Art Unit .....3713  
Examiner ..... Nguyen, Kim T.  
Attorney's Docket No. .... MS1-770US  
Title: Method and Apparatus for Creating and Playing Soundtracks in a Gaming  
System

**RESPONSE TO FINAL OFFICE ACTION DATED NOVEMBER 22, 2004**

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Steven R. Sponseller (Tel. 509-324-9256; Fax 509-323-8979)  
Lee & Hayes, PLLC  
421 W. Riverside Ave., Suite 500  
Spokane, WA 99201

PTO/SB/21 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |                      |                        |           |
|---|----------------------|------------------------|-----------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 09/802,681             |           |
|   | Filing Date          | 3/9/2001               |           |
|   | First Named Inventor | Victor Keith Blanco    |           |
|   | Group Art Unit       | 3713                   |           |
|   | Examiner Name        | KIM T NGUYEN           |           |
| Total Number of Pages In This Submission  | 7                    | Attorney Docket Number | MS1-770US |

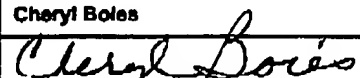
**ENCLOSURES (check all that apply)**

|  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Amendment / Reply<br><input checked="" type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input checked="" type="checkbox"/> Extension of Time Request  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Express Abandonment Request   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Information Disclosure Statement  | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Certified Copy of Priority Documents  | <input type="checkbox"/> Change of Correspondence Address                 | <input type="checkbox"/> Other Enclosure(s) (please identify below):                       |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application  | <input type="checkbox"/> Terminal Disclaimer                              |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53   | <input type="checkbox"/> Request for Refund                               |  |
|  | <input type="checkbox"/> CD, Number of CD(s)                              |  |
| Remarks  |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |   |
|-------------------------|---|
| Firm or Individual Name | Steven R. Sponseller/Reg. No. 39384   |
| Signature               |  |
| Date                    | April 21, 2005  |

**CERTIFICATE OF TRANSMISSION/MAILING**

|   |   |
|---|---|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |   |
| Typed or printed name   | Cheryl Boles  |
| Signature   |  |
| Date  | 4-21-2005   |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (12-04)

Approved for use through 07/31/2008. OMB 0851-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

(Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.)

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)**450.00**
**Complete if Known**

Application Number **09/802,661**  
 Filing Date **3/8/2001**  
 First Named Inventor **Victor Keith Blanco**  
 Examiner Name **KIM T NGUYEN**  
 Art Unit **3713**  
 Attorney Docket No. **MS1 -770US**

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: **12-0769** Deposit Account Name: **Lee & Hayes, PLLC**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**
**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES**

| Fee Description   | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 50       | 25                    |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200      | 100                   |
| Multiple dependent claims   | 360      | 180                   |

**Total Claims**        **Extra Claims**        **Fee (\$)**        **Fee Paid (\$)**         
 - 20 or HP =        x 50 =         
 HP = highest number of total claims paid for, if greater than 20  
**Indep. Claims**        **Extra Claims**        **Fee (\$)**        **Fee Paid (\$)**         
 - 3 or HP =        x 200 =         
 HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets**        **Extra Sheets**        **Number of each additional 50 or fraction thereof**        **Fee (\$)**        **Fee Paid (\$)**         
 - 100 =        / 50 =        (round up to a whole number) x        =       

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: 2 month extension of time

**Fees Paid (\$)**
**450.00**
**SUBMITTED BY**

Signature Steven R. Sponseller Registration No. **39384** Telephone **(509) 324-9256**  
 Name (Print/Type) **Steven R. Sponseller** Date **4-21-05**

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.